



Order under Section 57 Residential Tenancies Act, 2006

Citation: Aureliyo v Ainabe, 2026 ONLTB 5943

Date: 2026-01-16

File Number: LTB-T-005460-25

In the matter of: 2906, 16 BONNYCASTLE ST
TORONTO ON M5A0C9

Between: Ricardo Aureliyo Tenant

And

Jay Ainabe Landlord

Ricardo Aureliyo (the 'Tenant') applied for an order determining that Jay Ainabe (the 'Landlord') gave a notice of termination in bad faith.

This application was heard by videoconference on January 15, 2026.

The Landlord, Bright Ainabe, the Landlord's representative, Jahne Baboulas, and the Tenant attended the hearing.

Determinations:

1. For the following reasons, the Tenant's application is dismissed.
2. At the outset, the Landlord's representative submitted that the Tenant's application should be dismissed because the Landlord's name was incorrect. He stated that the initial hearing on July 31, 2025 was adjourned to allow the Tenant to correct the name of the Landlord to B&A Investments & Realty Group Ltd. (as per the N12 notice) and to add the purchaser to the application. The adjournment sheet indicates that the Tenant was aware that he should seek legal advice regarding adding the purchaser to the application.
3. The Landlord's representative stated that the purchaser's name and contact information was included in the Landlord's evidence that had been served ahead of the July 31, 2025 hearing.
4. The Landlord's representative stated that the Tenant has had almost six months to amend their application to correct the Landlord's name and to add the purchaser. In light of their failure to do so, he requested that the Tenant's application be dismissed.

5. The Tenant stated that he was “away”, dealing with a family matter from August 15 to December 27, 2025. He stated that he did not amend the application because it slipped his mind.
6. Parties are required to act with diligence in proceedings before the LTB. If a party fails to amend their application because of their own lack of diligence, especially since they have been advised to do so by the LTB and have had almost six months to do so, they cannot then demand that the LTB waste its resources and adjourn the matter a second time to allow them to correct the deficiency.
7. I note that the adjournment of the July 31, 2025 hearing was peremptory on the Tenant, meaning that no further adjournment request by the Tenant would be granted.
8. Given that the Tenant has not named the correct Landlord in the application, the Tenant’s application is dismissed.

It is ordered that:

1. The Tenant’s application is dismissed.

January 16, 2026

Date Issued

Karen Gonçalves

Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
Toronto ON M7A 2G6

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.